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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,500	09/19/2003	Mark Yalovsky	60001.0382US01/MS302845.1	1758
27488 7590 07/02/2007 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER NGUYEN, MAIKHANH	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 07/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/664,500	Applicant(s) YALOVSKY, MARK	
	Examiner Maikhanh Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to RCE filed 03/29/2007 to the original application filed 09/19/2003.

Claims 1-17 and 21-23 are presented for examination. Claims 18-20 are withdrawn from consideration. Claims 1, 12, and 21 have been amended. Claims 1, 12, and 21 are independent claims.

Applicant is required to cancel non-elected claims 18-20 in the next response to this office action.

The Examiner would like to thank Applicant for the amendment responsive to the previous Office Action. However, after further review of the claims and the Higashiyama reference, the Examiner found that the reference must be cited as reading-on the claim limitations.

Request Continuation for Examination

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/29/2007 has been entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipating by

Higashiyama et al. (US 2002/0032705, Publication date: 03/14/2002).

As to claim 1:

Higashiyama teaches a computer-implemented method for inserting input into an electronic document page (*e.g., placing an insertion point in an electronic document in an electronic system for creating and editing an electronic document... then formatting is performed to place the insertion point in the electronic document*) [see the Abstract and the discussion beginning at ¶0009] comprising the steps of:

placing a pointer on the electronic document page (*e.g., placing an insertion point in an electronic document*) [see Abstract and the discussion beginning at ¶¶0009 and 0047];

in response to placing the pointer on the electronic document page, scanning the electronic document page for an existing object (*e.g., the location that the user is clicking on with a cursor is determined. The most likely position that the user wants to place the insertion point and text and object formatting attributes are determined based on the context information regarding the cursor location. Any necessary formatting adjustments are made in the electronic document to place the insertion point at the cursor location*) [see Abstract and the discussion beginning at ¶ 0024];

if an existing object is detected in the scanning step:

selecting a content-based guideline of the existing object that is adjacent to the pointer(*e.g., a rule is selected ...the cursor presentation is changed to match the selected rule ... the object next to which the cursor is positioned*) [see the discussion beginning at ¶0089], the content-based guideline being selected from a plurality of content-based guideline by applying rules to determine which one of the plurality of content-based guidelines is dominant (*e.g., determines the location that the user is double-clicking and determines the most likely position that the user wants to place the insertion point based on the context information of the cursor location ... a location of a cursor in the electronic document is collected. A coinciding rule is selected, based on the collected context information, from one of a number of rules*); the plurality of content-based guidelines comprising vertical lines (*e.g., vertical lines*) and horizontal lines (*e.g., horizontal position of the cursor on the line*), the vertical lines being attached to content features of existing object and the horizontal lines being aligned to text comprising the exist object [see ¶0048] wherein applying the rules to determine which one of the plurality of content-based guidelines is dominant comprises, among other things, applying the rules with guideline dominant being a function of a page position [see ¶¶ 0009, 0010, and 0017]; and

aligning the pointer to the content-based guideline for inserting the input (e.g., after a rule is selected at step 215, the method 200 proceeds to step 220 and the cursor presentation is changed to match the selected rule. Typically, the cursor presentation will be an icon indicating the anticipated location of the insertion point should the user double-click the mouse button while the cursor is at its current location. In an exemplary embodiment, the cursor may be a left alignment icon indicating the insertion point will be left aligned, a center alignment icon indicating the insertion point will be center aligned, a right alignment icon indicating the insertion point will be right aligned, an indent icon indicating that the insertion point will be indented, and a text-wrapping icon indicating the type of text wrapping which will be applied to the object next to which the cursor is positioned. Thus, a selected rule that corresponds to formatting steps that left align the insertion point will cause a left align cursor to be displayed) [see the discussion beginning at ¶0089].

As to claim 2:

Higashiyama teaches the input comprises a document object (e.g., objects in a document; ¶0008).

As to claim 3:

Higashiyama teaches the content-based guideline is an existing content-based guideline, and wherein the input document object comprises content, and wherein the method further comprises the step of identifying an input content-based guideline of the input document object (*e.g., allows a user to place an insertion point at various points within an electronic document without having to manually add spaces, tabs or carriage returns to the document ... the location that the user is clicking on with a cursor is determined. The most likely position that the user wants to place the insertion point and text and object formatting attributes are determined based on the context information regarding the cursor location. Any necessary formatting adjustments are made in the electronic document to place the insertion point at the cursor location*) [see the discussion beginning at ¶0009], and wherein the aligning step comprises positioning the content of the input document object on the page so that the input content-based guideline is aligned to the existing content-based guideline (*e.g., the cursor may be a left alignment icon indicating the insertion point will be left aligned, a center alignment icon indicating the insertion point will be center aligned, a right alignment icon indicating the insertion point will be right aligned, an indent icon indicating that the insertion point will be indented, and a text-wrapping icon indicating the type of text wrapping which will be applied to the object next to which the cursor is positioned*). Thus, a selected rule that corresponds to

formatting steps that left align the insertion point will cause a left align cursor to be displayed) [see the discussion beginning at ¶0089].

As to claim 4:

Higashiyama teaches the input document object comprises a graphic (*e.g., graphical objects; see ¶¶ 0023 and 0025*)

As to claim 5:

Higashiyama teaches the input document further comprises textual content (*e.g., text; see ¶¶ 0024, 0025, and 0048*).

As to claim 6:

Higashiyama teaches the input comprises text (*e.g., text; see ¶¶ 0024, 0025, and 0048*).

As to claim 7:

Higashiyama teaches the existing object comprises text and content-based guideline is horizontally aligned with the text (*e.g., the collection of context information may comprise examining the alignment of the line over which the cursor is positioned, examining whether there is text on the line over which the cursor is positioned, examining whether tab stops exist on the line over which the cursor is positioned,*

determining the horizontal position of the cursor on the line) [see the discussion beginning at ¶0052].

As to claim 8:

Higashiyama teaches the existing object comprises text and the content-based guideline is a vertical guideline that is aligned to a format feature of the text (*e.g., the collection of context information may comprise examining the alignment of the line over which the cursor is positioned, examining whether there is text on the line over which the cursor is positioned...determining the vertical position of the cursor in the document*) [see the discussion beginning at ¶0052].

As to claim 9:

Higashiyama teaches the existing object comprises text (*e.g., text; see ¶¶ 0024, 0025, and 0048*) and the content-based guideline is aligned to a reflow bar of the existing object (*e.g., the cursor may be a left alignment icon indicating the insertion point will be left aligned, a center alignment icon indicating the insertion point will be center aligned, a right alignment icon indicating the insertion point will be right aligned, an indent icon indicating that the insertion point will be indented, and a text-wrapping icon indicating the type of text wrapping which will be applied to the object next to which the cursor is positioned* Thus, a selected rule that corresponds to formatting steps that left align the insertion point will cause a left align cursor to be displayed) [see the discussion beginning at ¶0089].

As to claim 10:

Higashiyama teaches if no existing object is detected in the scanning step, inserting input at the placement of the pointer (*e.g., an appropriate cursor is displayed... The cursor is typically used to provide the user with an indication of the placement of the insertion point should the user choose to enter an insertion point with the cursor in its current location. Thus, as the cursor is moved around the screen, the cursor will change based upon the changing context information*) [see the discussion beginning at ¶0096].

As to claim 11:

Higashiyama teaches the existing object comprises existing text the input comprises input text (*e.g., the user wants to place the insertion point and text and object formatting attributes are determined based on the context information regarding the cursor location*) [see the discussion beginning at ¶0009]; the content-based guideline is aligned with a feature of the existing text; and the aligning step further comprises aligning the input text to the content-based guideline (*e.g., the cursor may be a left alignment icon indicating the insertion point will be left aligned, a center alignment icon indicating the insertion point will be center aligned, a right alignment icon indicating the insertion point will be right aligned, an indent icon indicating that the insertion point will be indented, and a text-wrapping icon indicating the type of text wrapping which will be applied to the object next to which the cursor is positioned*

Thus, a selected rule that corresponds to formatting steps that left align the insertion point will cause a left align cursor to be displayed) [see the discussion beginning at ¶0089].

As to claim 21:

It is directed to a system for performing the method of claim 1, and is similarly rejected under the same rationale. Additionally, Higashiyama teaches the plurality of content-based guidelines configured to move with the existing object when the existing object is moved (*see the discussion beginning at ¶0089*).

As to claim 22:

Higashiyama teaches the processing unit being operative to align before text has been received for the input (*see ¶¶ 0025, 0100, 0115*).

As to claim 23:

Higashiyama teaches the processing unit being operative to align after text has been received for the input [*see the discussion beginning at ¶ 0047*].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Higashiyama et al.** (US 2002/0032705) in view of **Altman et al.** (US 20020064308, issued 05/30/2002).

As to claim 12:

It is directed to a computer-readable storage device for implementing the method of claim 1, and is similarly rejected under the same rationale. Additionally, claim 12 recites “*at least one of the vertical lines intersects substantially perpendicularly with at least one of the horizontal lines*”.

Altman teaches at least one of the vertical lines intersects substantially perpendicularly with at least one of the horizontal lines (*see ¶ 0118 and figs. 15A-B*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Higashiyama with Altman because it would have provided the capability for storing, printing and displaying ink stroke representations greatly improves overall system performance by reducing the amount of memory require to store ink stroke representation, and the amount of time required to render ink stroke representations on the display device.

It is noted that claim 12 does not require “*wherein applying the rules to determine which one of the plurality of content-based guidelines is dominant comprises one of the following: using guideline hierarchy and applying the rules with guideline dominant being a function of a page position.*”

As to claim 13:

Higashiyama teaches selecting the content guideline of the dominant existing object that is closest on the electronic page to the pointer (*e.g., collecting context information is typically based on cursor position and comprises determining which paragraph the cursor is over. then the closest text that is immediately above the cursor position is examined and properties, or attributes, of that text are examined*) [see the *Placing an Insertion Point in a Document* discussion beginning at ¶ 0047].

As to claim 14:

Higashiyama teaches determining a dominant existing object on the basis of position on the electronic page (*e.g., determining which paragraph the cursor is over. ... If the cursor is over existing text, then there are properties, or attributes, of the existing text that are examined. These properties include, but are not limited to, tab stops, section level properties (a section is typically defined by section breaks), and paragraph properties (a paragraph is text between two paragraph marks). If the cursor is over no existing text, then the closest text that is immediately above the cursor position is examined and properties, or attributes, of that text are examined*) [see the *Placing an Insertion Point in a Document* discussion beginning at ¶ 0047].

As to claim 15:

Higashiyama teaches determining that the existing object that is closest to the left side of the electronic page is the dominant existing object (*e.g., a selected rule that corresponds to formatting steps that left align the insertion point will cause a left align cursor to be displayed*) [see the discussion beginning at ¶ 0089].

As to claim 16:

Higashiyama teaches determining that the existing object that is closest to the top side of the electronic page is the dominant existing object (*e.g., after a rule is selected at step 215, the method 200 proceeds to step 220 and the cursor presentation is changed to*

match the selected rule. Typically, the cursor presentation will be an icon indicating the anticipated location of the insertion point should the user double-click the mouse button while the cursor is at its current location. In an exemplary embodiment, the cursor may be a left alignment icon indicating the insertion point will be left aligned, a center alignment icon indicating the insertion point will be center aligned, a right alignment icon indicating the insertion point will be right aligned, an indent icon indicating that the insertion point will be indented, and a text-wrapping icon indicating the type of text wrapping which will be applied to the object next to which the cursor is positioned. Thus, a selected rule that corresponds to formatting steps that left align the insertion point will cause a left align cursor to be displayed) [see the discussion beginning at ¶0089].

As to claim 17:

Higashiyama teaches identifying the existing object that is closest to the top left corner of the electronic page (*e.g., a selected rule that corresponds to formatting steps that left align the insertion point will cause a left align cursor to be displayed) [see the discussion beginning at ¶0089].*

Response to Arguments

5. Applicant's arguments filed 03/29/2007 have been fully considered but they are not persuasive.

Applicant argues in substance that in combination of Higashiyama and Robinson do not teach “*the plurality of content-based guideline comprising vertical lines and horizontal lines, the vertical lines being attached to content features of existing object and the horizontal lines being aligned to text comprising the exist object wherein applying the rules to determine which one of the plurality of content-based guidelines is dominant comprises one of the following: using guideline hierarchy and applying the rules with guideline dominant being a function of a page position.*” [Remarks, page 12].

In response, Higashiyama teaches the plurality of content-based guidelines comprising vertical lines (*e.g., vertical lines*) and horizontal lines (*e.g., horizontal position of the cursor on the line*), the vertical lines being attached to content features of existing object and the horizontal lines being aligned to text comprising the exist object [see ¶0048] wherein applying the rules to determine which one of the plurality of content-based guidelines is dominant (*e.g., determines the location that the user is double-clicking and determines the most likely position that the user wants to place the insertion point based on the context information of the cursor location ... a location of a cursor in the electronic document is collected. A coinciding rule is selected, based on the collected context information, from one of a number of rules*) comprises, among other things, applying the rules with guideline dominant being a function of a page position [see ¶¶ 0009, 0010, and 0017].

Conclusion

6. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

Contact information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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MN



**WILLIAM BASHORE
PRIMARY EXAMINER**